

October 14, 1996

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

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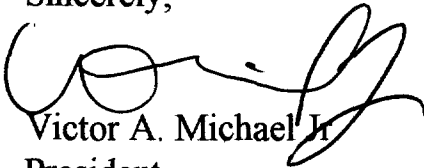
FCC MAIL ROOM

DOCKET FILE COPY ORIGINAL

Dear Sir,

Enclosed is an original and four copies of a Petition for Rule Making to amend the FM table of allotments for a new FM broadcast station for Franklin, Idaho.

Sincerely,



Victor A. Michael Jr.
President
Mountain Tower Broadcasting

c/o Magic City Media
1912 Capitol Avenue, Suite 300
Cheyenne, Wyoming 82001

307-632-4400

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the matter of:)
)
Amendment of Section 73.202 (b))
)
Table of Allotments)
)
FM Broadcast Stations)
)
(Franklin, Idaho)

RM-_____

PETITION FOR RULE MAKING

In this petition, Mountain Tower Broadcasting is hereby requesting to allot channel 249A (97.7 Mhz) to , as its first local FM allotment.

INTRODUCTION

1. This statement is a petition for rule making to allot FM channel 249A (97.7 Mhz) to Franklin, Idaho and add it to the Commission's FM table of allotments, 73.202. The following will show the need for an FM channel and the effects the allotment of Channel 249A to Franklin will have.

DISCUSSION

2. Franklin is located in southeast, Idaho. It is also located within Franklin County, a county of some 9232 persons. Franklin has a population of 478 persons in accordance with the U.S. 1990 census.

3. The allotment of channel 249A to Franklin will provide the first local broadcast facility to the community and/or the surrounding area. The closest FM allotment to Franklin is located at Preston, Idaho. Preston is located 11 kilometers from Franklin.

It is obvious that from the above spacing that Franklin is presently without local FM service.

4. Franklin would greatly benefit from an FM allotment due to the fact there is no AM or FM broadcast facilities within 11 Kilometers of Franklin. Because of this, it would have an outlet for local self expression. Health and safety for the community would be increased due to having a local communications outlet for warning the Franklin area of emergency conditions caused by severe weather or other health hazards.

5. Channel 249A can be allotted to Franklin and meet all rules and requirements of the Commission. The instant proposal will not cause a change in the channel number or a deletion of any channel now appearing in the Commission's table of allotments 73.202.

	<u>Present</u>	<u>Proposed</u>
Franklin, Idaho	-----	249A

6. In accordance with 73.207 of the Commission's rules, "Minimum Distance Separations between Stations", all allotments on Channel 249A and the pertinent adjacent channels to 249A have been studied with the results listed in Figure 1 of this petition. The geographic coordinates used for the spacing

Study (N. 42 - 06 - 37", W. 111 - 46 - 24") are that of a site located within 10.6 kilometers of the community of Franklin. A site restriction of 10.6 Kilometers north will be required to allot channel 249A to Franklin. Suitable transmitter sites are available to provide city grade coverage (3.16 mv/m or 70 dbu) to the entire community of Franklin.

CONCLUSION

7. It has been shown that Franklin would benefit from the allotment of channel 249A. It has also been shown that channel 249A can be allotted to Franklin and meet all rules regarding spacing from other stations. Considering these two facts, Mountain Tower Broadcasting hereby requests that the Federal Communications Commission institute a Rule Making proceeding to amend the Table of Allotments to include channel 249A for Franklin, Idaho , 73.202.


8. Should channel 249A be allotted to Franklin, Idaho I certify that I will file an application for a Construction Permit to operate an FM station for Franklin.

CERTIFICATION

9. I certify that I have prepared or directly supervised the preparation of this entire Petition for Rule Making, and that the facts contained within are true to the best of my knowledge, information and belief, accurate and true.

Dated: October 14, 1996

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor A. Michael Jr.", written in a cursive style.

Victor A. Michael Jr.
President
Mountain Tower Broadcasting

c/o Magic City Media
1912 Capitol Avenue, Suite 300
Cheyenne, Wyoming 82001

(307) 632-4400

MAPFM search of channel 249A6 (97.7 MHz), at N. 42 6 37, W. 111 46 24.

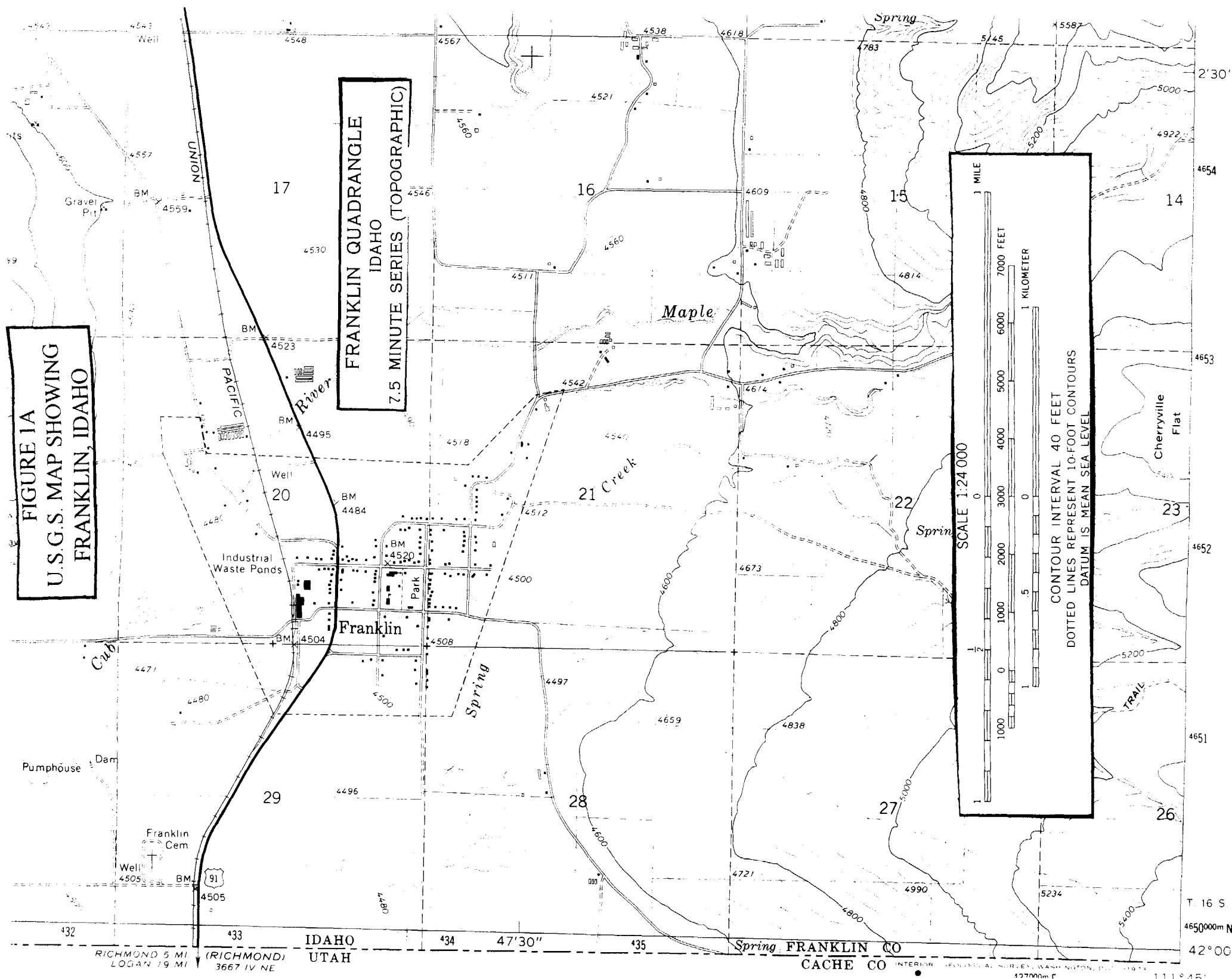
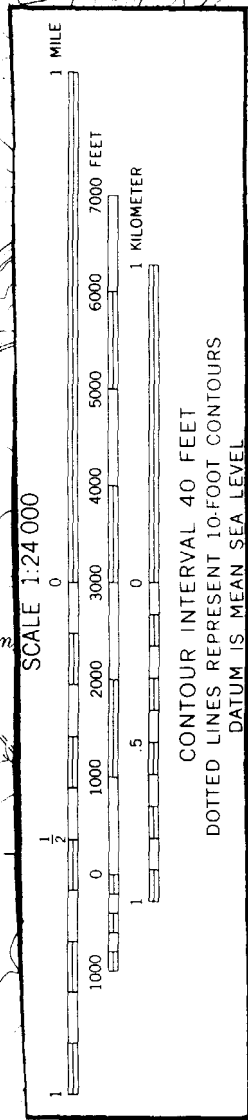
Searching Channel 249A6 (97.7 MHz):

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Salt Lake City	UT	246	C	U	165.0	95.0	192.5°	70.0
KISNFM	Salt Lake City	UT	246	C	L	165.0	95.0	192.5°	70.0
ALC	Blackfoot	ID	247	C	U	170.7	95.0	334.8°	75.7
KLCE	Blackfoot	ID	247	C	L	170.7	95.0	334.8°	75.7
ALC	Ogden	UT	250	C	U	165.0	165.0	192.5°	0.0
KBZN	Ogden	UT	250	C	L	165.0	165.0	192.5°	0.0
KRSVFM	Afton	WY	252	A	L	105.0	31.0	38.4°	74.0
KRSVFM	Afton	WY	252	A	L	105.0	31.0	38.4°	74.0

FIGURE 1
CHANNEL STUDY
FRANKLIN, IDAHO

FIGURE 1A
U.S.G.S. MAP SHOWING
FRANKLIN, IDAHO

FRANKLIN QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)



RICHMOND 5 MI.
LOGAN 19 MI.

IDAHO
UTAH

FRANKLIN CO
CACHE CO

T 16 S
42°00'
111°45'